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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Report of the Third Committee

Rapporteur: Mr. Juraj **Priputen** (Slovakia)

I. Introduction

1. At its 3rd plenary meeting, on 19 September 2001, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-sixth session the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions" and to allocate it to the Third Committee.

2. The Third Committee considered the item at its 43rd to 48th and 50th to 52nd meetings, from 19 to 21 and from 27 to 29 November 2001. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/56/SR.43-48 and 50-52).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the United Nations High Commissioner for Refugees, 2000[1] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on its fifty-second session;[2]

(b) Report of the Secretary-General on assistance to unaccompanied refugee minors (A/56/333 and Corr.1);

(c) Report of the Secretary-General on assistance to refugees, returnees and displaced persons in Africa (A/56/335);

[1] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 12* (A/56/12).
[2] Ibid., *Supplement No. 12A* (A/56/12/Add.1).

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(d) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the audit of the Office of the United Nations High Commissioner for Refugees operations in Albania (A/56/128);

(e) Letter dated 26 November 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General (A/C.3/56/8).

4. At the 43rd meeting, on 19 November, the United Nations High Commissioner for Refugees made an introductory statement (see A/C.3/56/SR.43).

5. At the same meeting, the Committee engaged in a dialogue with the United Nations High Commissioner for Refugees, in which the representatives of Pakistan, Belgium (on behalf of the States Members of the United Nations that are members of the European Union), the Libyan Arab Jamahiriya, South Africa, Mexico and the Sudan took part (see A/C.3/56/SR.43).

II. Consideration of proposals

A. Draft resolution A/C.3/56/L.39

6. At the 45th meeting, on 20 November, the representative of New Zealand, on behalf of Ecuador, Guinea, New Zealand and Yugoslavia introduced a draft resolution entitled "Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees" (A/C.3/56/L.39). Subsequently, Bangladesh, Chile, Colombia, Croatia, Ethiopia, Mozambique, Namibia, Nicaragua, Panama, Sierra Leone, the Sudan and Suriname joined in sponsoring the draft resolution.

7. At its 47th meeting, on 21 November, the Committee adopted draft resolution A/C.3/56/L.39 without a vote (see para. 18, draft resolution I).

B. Draft resolution A/C.3/56/L.70

8. At the 50th meeting, on 27 November, the representative of the Russian Federation, on behalf of Armenia, Austria, Belarus, Belgium, Canada, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Japan, Kyrgyzstan, Luxembourg, the Netherlands, Portugal, the Russian Federation, Spain, Sweden, Tajikistan, Turkmenistan, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Follow-up to the Regional Conference to Address the Problem of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States" (A/C.3/56/L.70). Subsequently, Afghanistan, Croatia, Cyprus, Kazakhstan and Norway joined in sponsoring the draft resolution.

9. At its 51st meeting, on 28 November, the Committee adopted draft resolution A/C.3/56/L.70 without a vote (see para. 18, draft resolution II).

C. Draft resolution A/C.3/56/L.72

10. At the 51st meeting, on 28 November, the representative of Uganda, on behalf of the States Members of the United Nations that are members of the Group of African States, as well as Belgium, Canada, Denmark, Finland, Germany, Norway, Portugal and Sweden, introduced a draft resolution entitled "Assistance to refugees, returnees and displaced persons in Africa" (A/C.3/56/L.72). Subsequently, Austria, Brazil, Chile, Croatia, France, Greece, Haiti, Ireland, Italy, Luxembourg, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America joined in sponsoring the draft resolution.

11. At its 52nd meeting, on 29 November, the Committee adopted the draft resolution A/C.3/56/L.72 without a vote (see para. 18, draft resolution III).

D. Draft resolution A/C.3/56/L.73

12. At the 51st meeting, on 28 November, the representative of the Sudan, on behalf of Afghanistan, Bangladesh, Botswana, Cameroon, Côte d'Ivoire, the Dominican Republic, Ecuador, El Salvador, Ethiopia, Guinea, the Islamic Republic of Iran, Jordan, Kenya, Madagascar, Malawi, Mauritania, Morocco, Nigeria, Pakistan, Panama, Qatar, the Sudan, the Syrian Arab Republic and Yemen, introduced a draft resolution entitled "Assistance to unaccompanied refugee minors" (A/C.3/56/L.73). Subsequently, Angola, Benin, the Democratic Republic of the Congo, Nicaragua, the Niger, Sierra Leone and Turkey joined in sponsoring the draft resolution.

13. At its 52nd meeting, on 29 November, the Committee adopted draft resolution A/C.3/56/L.73 without a vote (see para. 18, draft resolution IV).

E. Draft resolution A/C.3/56/L.74

14. At the 50th meeting, on 27 November, the representative of Finland, on behalf of Afghanistan, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, the Bahamas, Barbados, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, the Gambia, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, the Netherlands, New Zealand, Nicaragua, the Niger, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Saint Lucia, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, the Sudan, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America, Venezuela, Yugoslavia, Zambia and Zimbabwe, introduced a draft resolution entitled "Office of the United Nations High Commissioner for Refugees" (A/C.3/56/L.74). Subsequently, Belarus, the Congo, the Democratic Republic of the

Congo, Ghana, Guinea, Honduras, Mauritius and Tunisia joined in sponsoring the draft resolution.

15. At the same meeting, the representative of Finland orally revised operative paragraph 9 of the draft resolution by replacing the words "accompanied by the necessary rehabilitation measures and supported by development assistance from the international community to ensure sustainable reintegration" at the end of the paragraph by the words "supported by necessary rehabilitation and development assistance, to facilitate sustainable reintegration".

16. At its 51st meeting, on 28 November, the Committee adopted draft resolution A/C.3/56/L.74, as orally revised, without a vote (see para. 18, draft resolution V).

F. Draft decision proposed by the Chairman

17. At its 52nd meeting, on 29 November, on the proposal of the Chairman, the Committee decided to take note of the note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the audit of the operations of the Office of the United Nations High Commissioner for Refugees in Albania (A/56/128) (see para. 19).

III. Recommendations of the Third Committee

18. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decisions 2001/217 of 3 May 2001 and 2001/298 of 25 July 2001 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the requests regarding the enlargement of the Executive Committee contained in the annex to the note verbale dated 21 January 1999 from the Permanent Mission of Guinea to the United Nations addressed to the Secretary-General,[3] the letter dated 3 November 2000 from the Permanent Representative of New Zealand to the United Nations addressed to the Secretary-General,[4] the letter dated 20 April 2001 from the Permanent Representative of Yugoslavia to the United Nations addressed to the Secretary-General,[5] and the note verbale dated 27 April

[3] E/1999/13.
[4] E/2001/4.
[5] E/2001/49.

2001 from the Permanent Mission of Ecuador to the United Nations addressed to the Secretary-General,[6]

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from fifty-seven to sixty-one States;

2. *Requests* the Economic and Social Council to elect the additional members at its resumed organizational session for 2002.

Draft resolution II
Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States

The General Assembly,

Recalling its resolutions 48/113 of 20 December 1993, 49/173 of 23 December 1994, 50/151 of 21 December 1995, 51/170 of 12 December 1996, 52/102 of 12 December 1997, 53/123 of 9 December 1998 and, in particular, 54/144 of 17 December 1999,

Taking note of the report of the Secretary-General,[7]

Having considered the report of the United Nations High Commissioner for Refugees,[8]

Reaffirming the importance and continuing validity of the Programme of Action adopted in 1996 by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States,[9] as a basic guiding tool for future activities,

Recognizing the ongoing acuteness of the migration and displacement problems in the countries of the Commonwealth of Independent States and the necessity to follow up the Conference,

Recalling the decision of the steering group of the Conference at its fifth meeting to continue activities in the process entitled "Follow-up to the 1996 Geneva Conference on the Problems of Refugees, Displaced Persons, Migration and Asylum Issues" for a period of five years,

Welcoming the work plan for the thematic issues, prepared jointly by the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration, the Organization for Security and Cooperation in Europe and the Council of Europe in accordance with the recommendations adopted by the steering group at its fifth meeting,

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[6] E/2001/52.

[7] A/55/472.

[8] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 12* (A/56/12).

[9] A/51/341 and Corr.1, appendix.

Welcoming also the convening of the first meeting of experts within the framework of the newly launched thematic process on citizenship and statelessness, held at Kiev from 11 to 13 December 2000, as well as international efforts aimed at improving migration and border management, with due respect to refugee protection matters, and encouraging all lead agencies to continue to implement the work plan,

Reaffirming the view of the Conference that the primary responsibility for tackling population displacement problems lies with the affected countries themselves and that these issues are to be regarded as national priorities, while at the same time recognizing the need for enhancing international support for the national efforts of the countries of the Commonwealth of Independent States aimed at the effective implementation of such responsibilities within the framework of the Programme of Action adopted by the Conference,

Noting with satisfaction the efforts of the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe in developing strategies and practical tools for more effective capacity-building in countries of origin and enhancing programmes to address the needs of various categories of concern to the countries of the Commonwealth of Independent States,

Taking note of positive results emanating from the implementation of the Programme of Action,

Convinced of the necessity of further strengthening practical measures and of continuing to maintain the regional approach for the achievement of effective implementation of the Programme of Action,

Recalling that the protection and promotion of human rights and the strengthening of democratic institutions are essential to prevent mass population displacement,

Mindful that adherence to the principles and the recommendations contained in the Programme of Action should be facilitated and can be ensured only through cooperation and coordinated activities undertaken in this respect by all interested States, intergovernmental and non-governmental organizations and other actors,

1. *Takes note* of the report of the United Nations High Commissioner for Refugees;[8]

2. *Calls upon* the Governments of the countries of the Commonwealth of Independent States, in cooperation with the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe, to strengthen their efforts and mutual cooperation relating to the follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, and welcomes the positive results achieved by them in the implementation of the Programme of Action adopted by the Conference;[9]

3. *Invites* all States that have not yet done so to accede to and implement fully the 1951 Convention[10] and/or the 1967 Protocol[11] relating to the Status of Refugees;

4. *Calls upon* States and interested international organizations, in a spirit of solidarity and burden-sharing, to provide appropriate forms and levels of support for activities undertaken in follow-up to the Programme of Action;

5. *Invites* international financial and other institutions to contribute to the financing of projects and programmes within the framework of such follow-up activities;

6. *Invites* the countries of the Commonwealth of Independent States to intensify bilateral, subregional and regional cooperation in maintaining the balance of commitments and interests in such activities;

7. *Calls upon* the Governments of the countries of the Commonwealth of Independent States to continue to strengthen their commitment to the principles underpinning the Programme of Action, in particular principles of human rights and refugee protection, and to lend high-level political support to ensure the implementation of activities undertaken in follow-up to the Programme of Action;

8. *Invites* the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration to enhance their mutual relationship with other key international actors, such as the Council of Europe, the European Commission and human rights, development and financial institutions, in order better to address the wide-ranging and complex issues in activities undertaken in follow-up to the Programme of Action;

9. *Welcomes* the progress made in building civil society, in particular through the development of the non-governmental sector and the development of cooperation between non-governmental organizations and the Governments of a number of countries of the Commonwealth of Independent States, and notes in this regard the relationship between adherence to the principles of the Programme of Action and success in promoting civil society, especially in the field of human rights;

10. *Encourages* the involvement of intergovernmental and non-governmental organizations in the follow-up to the Conference, and invites them to demonstrate stronger support for the process of multinational constructive dialogue among a wide range of countries concerned;

11. *Emphasizes* the necessity of undertaking follow-up activities to the Programme of Action in relation to ensuring respect for human rights as an important factor in the management of migration flows, the consolidation of democracy, the rule of law and stability;

12. *Recognizes* the importance of taking measures, on the basis of strict adherence to all of the principles of international law, including humanitarian, human rights and refugee law, to prevent situations that lead to new flows of refugees, displaced persons and other forms of involuntary displacement;

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[10] United Nations, *Treaty Series*, vol. 189, No. 2545.

[11] Ibid., vol. 606, No. 8791.

13. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the progress achieved in the implementation of activities undertaken in follow-up to the Programme of Action;

14. *Decides* to continue its consideration of the question at its fifty-eighth session.

Draft resolution III
Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 55/77 of 4 December 2000,

Recalling also the provisions of its resolution 2312 (XXII) of 14 December 1967, by which it adopted the Declaration on Territorial Asylum,

Recalling further the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[12] and the African Charter on Human and Peoples' Rights,[13]

Recalling the Khartoum Declaration[14] and the Recommendations on Refugees, Returnees and Internally Displaced Persons[15] in Africa adopted by the Organization of African Unity at the ministerial meeting held at Khartoum on 13 and 14 December 1998,

Welcoming decision CM/Dec.598 (LXXIV) on the situation of refugees, returnees and displaced persons in Africa adopted by the Council of Ministers of the Organization of African Unity at its seventy-fourth ordinary session, held at Lusaka from 5 to 8 July 2001,[16]

Welcoming also decision AHG/Dec.165 (XXXVII) on the fiftieth anniversary of the adoption of the 1951 Convention relating to the Status of Refugees adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-seventh ordinary session, held at Lusaka from 9 to 11 July 2001,[17]

Noting that the year 2001 marks the fiftieth anniversary of the 1951 Convention relating to the Status of Refugees,[18] which together with its 1967 Protocol,[19] as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

Recognizing that the fundamental principles and rights embodied in these Conventions have provided a resilient protection regime within which millions of refugees have been able to find safety from armed conflicts and persecution,

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[12] Ibid., vol. 1001, No. 14691.
[13] Ibid., vol. 1520, No. 26363.
[14] A/54/682, annex I.
[15] Ibid., annex II.
[16] See A/56/457, annex II.
[17] Ibid., annex I.
[18] United Nations, *Treaty Series*, vol. 189, No. 2545.
[19] Ibid., vol. 606, No. 8791.

Recalling the Comprehensive Implementation Plan adopted by the Special Meeting of Governmental and Non-Governmental Technical Experts convened by the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees at Conakry from 27 to 29 March 2000, on the occasion of the thirtieth anniversary of the adoption of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa, and noting its endorsement by the Council of Ministers of the Organization of African Unity at its seventy-second ordinary session,[20]

Commending the First Ministerial Conference on Human Rights in Africa of the Organization of African Unity, held at Grand-Baie, Mauritius, from 12 to 16 April 1999, and recalling the attention paid to issues relevant to refugees and displaced persons in the Declaration and Plan of Action adopted by the Conference,

Recognizing the contributions made by African States to the development of regional standards for the protection of refugees and returnees, and noting with appreciation that countries of asylum are hosting refugees in a humanitarian spirit and in a spirit of African solidarity and brotherhood,

Recognizing also the need for States to address resolutely the root causes of forced displacement and to create conditions that facilitate durable solutions for refugees and displaced persons, and stressing in this regard the need for States to foster peace, stability and prosperity throughout the African continent,

Convinced of the need to strengthen the capacity of States to provide assistance and protection for refugees, returnees and displaced persons and of the need for the international community, within the context of burden-sharing, to increase its material, financial and technical assistance to the countries affected by refugees, returnees and displaced persons,

Acknowledging with appreciation that some assistance is already rendered by the international community to refugees, returnees and displaced persons and host countries in Africa,

Noting with great concern that, despite all the efforts deployed so far by the United Nations, the Organization of African Unity and others, the situation of refugees and displaced persons in Africa remains precarious,

Stressing that the provision of relief and assistance to African refugees by the international community should be on an equitable, non-discriminatory basis,

Considering that, among refugees, returnees and internally displaced persons, women and children are the majority of the population affected by conflict and bear the brunt of atrocities and other consequences of conflict,

1. *Takes note* of the reports of the Secretary-General[21] and the United Nations High Commissioner for Refugees;[22]

2. *Notes with concern* that the declining socio-economic situation, compounded by political instability, internal strife, human rights violations and natural disasters, has led to increased numbers of refugees and displaced persons in some countries of Africa, and remains particularly concerned about the impact of

[20] See A/55/286, annex I, decision CM/Dec.531 (LXXII), para. 8.

[21] A/56/335.

[22] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 12* (A/56/12).

large-scale refugee populations on the security, socio-economic situation and environment of countries of asylum;

3. *Encourages* African States to ensure the full implementation of and follow-up to the Comprehensive Implementation Plan adopted by the Special Meeting of Governmental and Non-Governmental Technical Experts convened by the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees at Conakry from 27 to 29 March 2000, on the occasion of the thirtieth anniversary of the adoption of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969;

4. *Calls upon* States and other parties to armed conflict to observe scrupulously the letter and the spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

5. *Expresses its appreciation* for the leadership shown by the United Nations High Commissioner for Refugees since assuming office in January 2001, and commends the Office of the United Nations High Commissioner for Refugees for the ongoing efforts, with the support of the international community, to assist African countries of asylum and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

6. *Notes* the Ministerial Meeting of States Parties to the 1951 Convention relating to the Status of Refugees[18] to be held at Geneva on 12 and 13 December 2001, and encourages African States parties to the Convention to participate actively in the event;

7. *Welcomes* the process of the Global Consultations on International Protection launched by the Office of the High Commissioner, which provide an important forum for open discussion on complex legal and operational protection issues, and in this context invites African States to continue to participate actively in this process so as to bring their regional perspective to bear, thus ensuring that adequate attention is paid to concerns that are specific to Africa;

8. *Reaffirms* that the 1951 Convention and the 1967 Protocol[19] relating to the Status of Refugees, as complemented by the Organization of African Unity Convention of 1969, remain the foundation of the international refugee protection regime in Africa, encourages African States that have not yet done so to accede to those instruments, and calls upon States parties to the Conventions to reaffirm their commitment to their ideals and to respect and observe their provisions;

9. *Notes* the need for States to address the root causes of forced displacement in Africa, and calls upon African States, the international community and relevant United Nations organizations to take concrete action to meet the needs of refugees, returnees and displaced persons for protection and assistance and to contribute generously to national projects and programmes aimed at alleviating their plight;

10. *Also notes* the link, inter alia, between human rights violations, poverty, natural disasters and environmental degradation and population displacement, and calls for redoubled and concerted efforts by States, in collaboration with the Organization of African Unity, to promote and protect human rights for all and to address these problems;

11. *Encourages* the Office of the United Nations High Commissioner for Refugees to continue to cooperate with the Office of the United Nations High Commissioner for Human Rights and the African Commission on Human and Peoples' Rights, within their respective mandates, in the promotion and protection of the human rights and fundamental freedoms of refugees, returnees and displaced persons in Africa;

12. *Notes with appreciation* the ongoing mediation and conflict resolution efforts carried out by African States, the Organization of African Unity and subregional organizations, as well as the establishment of regional mechanisms for conflict prevention and resolution, and urges all relevant parties to address the humanitarian consequences of conflicts;

13. *Expresses its appreciation and strong support* for those African Governments and local populations that, in spite of the general deterioration of socio-economic and environmental conditions and overstretched national resources, continue to accept the additional burden imposed upon them by increasing numbers of refugees and displaced persons, in compliance with the relevant principles of asylum;

14. *Expresses its concern* about instances in which the fundamental principle of asylum is jeopardized by unlawful expulsion or refoulement or by threats to the life, physical security, integrity, dignity and well-being of refugees;

15. *Calls upon* States, in cooperation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements;

16. *Deplores* the deaths and injuries and other forms of violence sustained by staff members of the Office of the United Nations High Commissioner for Refugees, and urges States, parties to conflict and all other relevant actors to take all necessary measures to protect activities related to humanitarian assistance, to prevent attacks on and kidnapping of national and international humanitarian workers and to ensure their safety and security, calls upon States to investigate fully any crimes committed against humanitarian personnel and bring to justice persons responsible for such crimes, and calls upon organizations and aid workers to abide by the national laws and regulations of the countries in which they operate;

17. *Calls upon* the Office of the High Commissioner, the Organization of African Unity, subregional organizations and all African States, in conjunction with organizations of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the international refugee protection system;

18. *Calls upon* the Office of the High Commissioner, the international community and other concerned entities to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees,

strengthening emergency response and enhancing capacities for the coordination of humanitarian activities;

19. *Reaffirms* the right of return and also the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, as appropriate, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

20. *Notes with satisfaction* the voluntary return of millions of refugees to their homelands following the successful repatriation and reintegration operations carried out by the Office of the High Commissioner, with the cooperation and collaboration of countries hosting refugees and countries of origin, and looks forward to other programmes to assist the voluntary repatriation and reintegration of all refugees in Africa;

21. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden-sharing, to the third-country resettlement requests of African refugees, and notes with appreciation that some African countries have offered resettlement places for refugees;

22. *Welcomes* the programmes carried out by the Office of the High Commissioner with host Governments, the United Nations, non-governmental organizations and the international community to address the environmental impact of refugee populations;

23. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum;

24. *Expresses its concern* about the long stay of refugees in certain African countries, and calls upon the Office of the High Commissioner to keep its programmes under review, in conformity with its mandate in the host countries, taking into account the increasing needs of refugees;

25. *Emphasizes* the need for the Office of the High Commissioner to collate statistics, on a regular basis, on the number of refugees living outside refugee camps in certain African countries, with a view to evaluating and addressing the needs of those refugees;

26. *Urges* the international community, in a spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

27. *Requests* all Governments and intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children and displaced persons, including those with special protection needs;

28. *Calls upon* States and the Office of the High Commissioner to make renewed efforts to ensure that the rights, needs and dignity of elderly refugees are fully respected and addressed through appropriate programme activities;

29. *Expresses grave concern* about the plight of internally displaced persons in Africa, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in this regard the Guiding Principles on Internal Displacement,[23] and urges the international community, led by relevant United Nations organizations, to contribute generously to national projects and programmes aimed at alleviating the plight of internally displaced persons;

30. *Invites* the Representative of the Secretary-General on internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Commission on Human Rights and the General Assembly;

31. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-seventh session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions", and to present an oral report to the Economic and Social Council at its substantive session of 2002.

Draft resolution IV
Assistance to unaccompanied refugee minors

The General Assembly,

Recalling its resolutions 49/172 of 23 December 1994. 50/150 of 21 December 1995, 51/73 of 12 December 1996, 52/105 of 12 December 1997, 53/122 of 9 December 1998 and 54/145 of 17 December 1999,

Aware of the fact that the majority of refugees are children and women,

Bearing in mind that unaccompanied refugee minors are among the most vulnerable refugees and the most at risk of neglect, violence, forced military recruitment and sexual assault and therefore require special assistance and care,

Mindful of the fact that the ultimate solution to the plight of unaccompanied minors is their return to and reunification with their families,

Noting the revised Guidelines on Refugee Children issued by the Office of the United Nations High Commissioner for Refugees in May 1994 and the development of an emergency kit to facilitate coordination and enhance the quality of response to the needs of unaccompanied minors by the Office of the High Commissioner, the United Nations Children's Fund and non-governmental organizations,

Noting with appreciation the efforts of the Office of the High Commissioner and the United Nations Children's Fund in the identification and tracing of

[23] E/CN.4/1998/53/Add.2, annex.

unaccompanied minors, and welcoming their efforts in reunifying families of refugees,

Welcoming the efforts exerted by the United Nations High Commissioner for Refugees to reunite refugees with their families,

Noting the efforts of the High Commissioner to ensure the protection of and assistance to refugees, including children and unaccompanied minors, and that further enhanced efforts need to be exerted to this effect,

Recalling the provisions of the Convention on the Rights of the Child,[24] and the 1951 Convention[25] and 1967 Protocol[26] relating to the Status of Refugees,

1. *Takes note* of the report of the Secretary-General;[27]

2. *Also takes note* of the report of the Special Representative of the Secretary-General for Children and Armed Conflict;[28]

3. *Expresses its deep concern* at the continuing plight of unaccompanied refugee minors, and emphasizes once again the urgent need for their early identification and for timely, detailed and accurate information on their number and whereabouts;

4. *Stresses* the importance of providing adequate resources for programmes of identification and tracing of unaccompanied minors;

5. *Calls upon* the Office of the United Nations High Commissioner for Refugees, in cooperation with other relevant United Nations bodies, to incorporate into its programmes policies that aim at preventing the separation of refugee families, conscious of the importance of family unity;

6. *Calls upon* all Governments, the Secretary-General, the Office of the High Commissioner, all United Nations organizations, other international organizations and non-governmental organizations concerned to exert the maximum effort to assist and protect refugee minors and to expedite the return and reunification with their families of unaccompanied refugee minors;

7. *Urges* the Office of the High Commissioner, all United Nations organizations, other international organizations and non-governmental organizations concerned to take appropriate steps to mobilize resources commensurate with the needs and interests of unaccompanied refugee minors and for their reunification with their families;

8. *Calls upon* all States and other parties to armed conflict to respect international humanitarian law, and, in this regard, calls upon States parties to respect fully the provisions of the Geneva Convention of 12 August 1949[29] and related instruments, bearing in mind resolution 2 adopted at the twenty-sixth International Conference of the Red Cross and Red Crescent, held at Geneva in December 1995, and to respect the provisions of the Convention on the Rights of the

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[24] Resolution 44/25, annex.
[25] United Nations, *Treaty Series*, vol. 189, No. 2545.
[26] Ibid., vol. 606, No. 8791.
[27] See A/56/333.
[28] See A/56/453.
[29] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

Child,[24] which accord children affected by armed conflict special protection and treatment;

9. *Condemns* all acts of exploitation of unaccompanied refugee minors, including their use as soldiers or human shields in armed conflict and their forced recruitment into military forces, and any other acts that endanger their safety and personal security;

10. *Calls upon* the Secretary-General, the United Nations High Commissioner for Refugees, the Office for the Coordination of Humanitarian Affairs of the Secretariat, the United Nations Children's Fund, other United Nations organizations and other international organizations to mobilize adequate assistance to unaccompanied refugee minors in the areas of relief, education, health and psychological rehabilitation;

11. *Encourages* the Special Representative of the Secretary-General on the impact of armed conflict on children in his efforts to raise awareness worldwide and mobilize official and public opinion for the protection of children affected by armed conflict, including refugee minors;

12. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution and to give special attention to the girl-child refugee in his report.

Draft resolution V
Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office[30] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-second session[31] and the conclusions and decisions contained therein,

Recalling its previous annual resolutions on the work of the Office of the United Nations High Commissioner for Refugees since its establishment by the General Assembly,[32]

Expressing its appreciation for the leadership shown by the High Commissioner since assuming office in January 2001, and commending the staff and implementing partners of the Office of the United Nations High Commissioner for the competent, courageous and dedicated manner in which they discharge their responsibilities,

1. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-second session;[31]

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[30] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 12* (A/56/12).

[31] Ibid., *Supplement No. 12A* (A/56/12/Add.1).

[32] Resolution 428 (V).

2. *Welcomes* the fiftieth anniversary of the 1951 Convention relating to the Status of Refugees,[33] notes that the Convention and its 1967 Protocol[34] have continuously served as the cornerstone of the international refugee protection regime, and welcomes in this context the convening of a ministerial meeting of States parties as an expression of their collective commitment to full and effective implementation of the Convention and Protocol and the values they embody;

3. *Reaffirms* that the 1951 Convention and its 1967 Protocol remain the foundation of the international refugee regime and recognizes the importance of their full application by States parties, notes with satisfaction that one hundred and forty-one States are now parties to one instrument or to both, encourages the Office of the High Commissioner and States to strengthen their efforts to promote broader accession to those instruments and their full implementation, and underlines in particular the importance of full respect for the principle of non-refoulement;

4. *Notes* that fifty-three States are now parties to the 1954 Convention relating to the Status of Stateless Persons[35] and that twenty-four States are parties to the 1961 Convention on the Reduction of Statelessness,[36] and encourages the High Commissioner to continue his activities on behalf of stateless persons;

5. *Welcomes* the process of Global Consultations on International Protection launched by the Office of the High Commissioner and acknowledges their importance as a forum for open discussion on complex legal and operational protection issues;

6. *Reiterates* that international protection is a dynamic and action-oriented function, carried out in cooperation with States and other partners, inter alia, to promote and facilitate the admission, reception and treatment of refugees and to ensure durable, protection-oriented solutions, bearing in mind the particular needs of vulnerable groups;

7. *Re-emphasizes* that the protection of refugees is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions;

8. *Urges* all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, in a spirit of international solidarity and burden- and responsibility-sharing, to cooperate and to mobilize resources with a view to enhancing the capacity and reducing the heavy burden borne by States, in particular by developing countries and countries with economies in transition that have received large numbers of refugees and asylum-seekers, and calls upon the Office of the High Commissioner to continue to play its catalytic role in mobilizing assistance from the international community to address the root causes as well as the economic, environmental and social impact of large-scale refugee populations, especially in developing countries and countries with economies in transition;

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[33] United Nations, *Treaty Series*, vol. 189, No. 2545.

[34] Ibid., vol. 606, No. 8791.

[35] Ibid., vol. 360, No. 5158.

[36] Ibid., vol. 989, No. 14458.

9. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the High Commissioner of providing international protection to refugees and seeking permanent solutions to refugee problems, recalls that these solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, reaffirming that voluntary repatriation remains the preferred solution, supported by necessary rehabilitation and development assistance, to facilitate sustainable reintegration;

10. *Emphasizes* the obligation of all States to accept the return of their nationals, calls upon States to facilitate the return of their nationals determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a safe and humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

11. *Recognizes* that adequate and timely resources are essential to the High Commissioner to effectively discharge his mandated functions on an equitable basis, and urges Governments and other donors to respond promptly to the Global Appeal issued by his Office for requirements under its annual programme budget;

12. *Requests* the Office of the High Commissioner, with this sustained support, to continue to fulfil the mandate conferred upon it through its statute and by subsequent General Assembly resolutions concerning refugees and other persons of concern, in close cooperation with its relevant partners;

13. *Requests* the High Commissioner to report on his activities to the General Assembly at its fifty-seventh session, and to include in his report the results of the Global Consultations on International Protection.

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19. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Audit of the operations of the Office of the United Nations High Commissioner for Refugees in Albania

The General Assembly takes note of the note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the audit of the operations of the Office of the United Nations High Commissioner for Refugees in Albania.[37]

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[37] A/56/128.